Washington, Saturday, February 5, 1955

# TITLE 5—ADMINISTRATIVE PERSONNEL

#### Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

HOUSING AND HOME FINANCE AGENCY

Effective upon publication in the Federal Register, subparagraphs (1) (2) (3) (4) and (6) of § 6.142 (c) subparagraphs (1) (2) and (3) of § 6.242 (a) and subparagraphs (5) (7) and (9) of § 6.342 (b) are revoked; paragraph (a) (4) of § 6.242 and paragraph (b) (3) and (4) of § 6.342 are amended, subparagraphs (8) (9) (10) and (11) are added to § 6.142 (c) subparagraph (5) is added to § 6.242 (a) and subparagraphs (12) (13) and (14) are added to § 6.342 (b) as set out below.

§ 6.142 Housing and Home Finance Agency.

- (c) Federal Housing Administration.
- (8) Until December 31, 1955, six Regional Directors.
- (9) Director, Multi-Family Housing Division.
  - (10) Director, Title I Division.
- (11) Director, Home Mortgage Division.
- § 6.242 Housing and Home Finance Agency—(a) Federal Housing Administration. \* \* \*
- (4) Until June 30, 1955, the Director, Architectural Standards Division.
- (5) Ten Minority-Group Housing Advisors.
- § 6.342 Housing and Home Finance Agency. \* \* \*
- (b) Federal Housing Administration. \* \*
- (3) One Assistant Commissioner for Operations.
- (4) One Assistant Commissioner, Technical Standards.
- (12) One Assistant Commissioner for Programs.
- (13) Director of Examination and Audit.
  - (14) Director, Program Division.

(R. 8	<b>3</b> . 1	753	, sec.	2, 22	St	at.	403;	5 T	J. S. C	. 631,
633;	E.	Ο.	10440	, 18	$\mathbf{F}$	$\mathbf{R}$ .	1823,	3	CFR,	1953
Sun	n.)									

United States Civil Service Commission,

[SEAL] WM. C. HULL, Executive Assistant.

[F R. Doc. 55-1078; Filed, Feb. 4, 1955; 8:46 a. m.]

# PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

#### DEPARTMENT OF THE NAVY

Effective upon publication in the Federal Register, paragraph (a) (4) is added to § 6.306 as set out below.

§ 6.306 Department of the Navy—(a) Office of the Secretary. \* \* \*

(4) One Confidential Secretary to the Civilian Aide to the Secretary of the Navy.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633, E. O. 10440, 18 F R. 1823, 3 CFR, 1953 Supp.)

United States Civil Service Commission, Wm. C. Hull,

[SEAL]

Executive Assistant.

[F R. Doc. 55-1079; Filed, Feb. 4, 1955; 8:46 a. m.]

#### TITLE 6-AGRICULTURAL CREDIT

#### Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B-Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B-LOAN LIMITATIONS

AVERAGE VALUES OF FARMS; OKLAHOMA

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below are determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 311.29, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded

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by the average values set forth below for said counties.

OKLAHOMA	
	Average
County.	value
Adair	\$18, <b>0</b> 00
Alfalfa	30,000
Atoka	18,000
Beaver	28, 000
Beckham	25,000
Blaine	25,000
Bryan	20,000
Caddo	22,000
Canadian	28, 000
Carter	20,000
Cherokee	18, 000
Choctaw	20,000
Cimarron	<b>2</b> 8, 000
Cleveland	20,000
Coal	18, 000
Comanche	22, 000
Cotton	22, 000
Craig	22, 000
Creek	18,000
Custer	26, 000
Delaware	18,000
Dewey	24, 000
Ellis	23,000
Garfield	30,000
Garvin	22,000
Grady	24,000
Grant	30,000
Greer	24,000
Harmon	27, 500
Harper	25,000
Haskell	19,000
Hughes	20,000
Jackson	30,000
Jefferson	21,000
Johnston	19,000
Kay	30,000
Kingfisher	26,000
Kiowa	27,000
Latimer	18,000
Le Flore	20,000
Lincoln	20,000
Logan	20,000
Love	20,000
McClain	20,000
McCurtain	20,000
McIntosh	18,000
Major	25,000
Marshall	20,000
Mayes	20,000
Murray	19,000
Muskogee	22,000
-	

#### OKLAHOMA-Continued

	Average
County.	Value
Noble	\$20,000
Nowata	20,000
Okfuskee	18, 000
Oklahoma	25,000
Okmulgee	20,000
Osage	25, 000
Ottawa	25, 000
Pawnee	20, 000
Payne	20,000
Pittsburg	18, 000
Pontotoc	20, 000
Pottawatomie	20, 000
Pushmataha	18, 000
Roger Mills	22,000
Rogers	
Seminole	
Sequoyah	18, 000
Stephens	
Texas	30, 000
Tillman	
Tulsa	
Wagoner	
Washington	22, 000
Washita	26,000
Woods	28,000
Woodward	25,000

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Interprets or applies sec. 3 (a) 60 Stat. 1074; 7 U. S. C. 1003 (a))

Issued this 1st day of February 1955.

[SEAL] R. B. McLeaish,
Administrator

Farmers Home Administration.

[F. R. Doc. 55-1094; Filed, Feb. 4, 1955; 8:49 a. m.]

### TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 46]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALI-FORNIA

#### LIMITATION OF HANDLING

§ 914.346 Navel Orange Regulation 46—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 19 F R. 2941) regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237. 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is

based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on February 3, 1955, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) Order (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P s. t., February 6, 1955, and ending at 12:01 a. m., P s. t., February 13, 1955, is hereby fixed as follows:

- (i) District 1. 207,900 boxes;
- (ii) District 2: 231,000 boxes;
- (iii) District 3: Unlimited movement; (iv) District 4. Unlimited movement.
- (2) Navel oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges

and which are effective during the period specified herein.
(3) As used in this section, "handled," "boxes," "District 1," "District 2," "District 3," and "District 4" shall have the

amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C.

same meaning as when used in said

Dated: February 4, 1955.

[SEAL] FLOYD F HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F R. Doc. 55-1138; Filed, Feb. 4, 1955; 11:20 a. m.]

[Tangerine Reg. 157]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

#### LIMITATION OF SHIPMENTS

§ 933.721 Tangerine Regulation 157—(a) Findings. (1) Pursuant to the mar-

keting agreement, as amended, Order No. 33, as amended (7 CFR Part regulating the handling oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 7, 1955. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 7, 1955; the recommendation and supporting information for continued regulation subsequent to February 6, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 1, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time of this section.

(b) Order (1) During the period beginning at 12:01 a. m., e. s. t., February 7, 1955, and ending at 12:01 a. m., e. s. t., February 21, 1955, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2;

(ii) Any tangerines, grown in the State of Florida, which grade U. S. No. 2, that are of a size smaller than the size that will pack 210 tangerines,

packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions  $9\frac{1}{2}$  x  $19\frac{1}{8}$  inches, capacity 1,726 cubic inches) or

(iii) Any tangerines, grown in the State of Florida, which grade U. S. No. 1 Russet, U. S. No. 1 Bronze, U. S. No. 1 or U. S. Fancy that are of a size smaller than the size that will pack 246 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions  $9\frac{1}{2}$  x  $19\frac{1}{8}$  inches, capacity 1,726 cubic inches)

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order and the terms "U. S. No. 2," "U. S. No. 1 Russet," "U. S. No. 1 Bronze," "U. S. No. 1," "U. S. Fancy," and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 2, 1955.

[SEAL] FLOYD F HEDLUND,
Acting Director Fruit and Vegetable Division, Agricultural
Marketing Service.

[F R. Doc. 55-1093; Filed, Feb. 4, 1955; 8:49 a. m.]

[Orange Reg. 272]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

#### LIMITATION OF SHIPMENTS

§ 933.722 Orange Regulation 272—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice. engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effec-

tive time; and good cause exists for making the provisions of this section effective not later than February 7, 1955. Shipments of all oranges, including Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 7, 1955, the recommendation and supporting information for continued regulation subsequent to February 6, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 1, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof. are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) Order (1) During the period beginning at 12:01 a. m., e. s. t., February 7, 1955, and ending at 12:01 a. m., e. s. t., February 21, 1955, no handler shall ship:

(i) Any Valencia, Lue Gim Gong, or similar late-maturing oranges of the Valencia type, grown in the State of Florida, which do not grade at least U. S. No. 1.

(ii) Any oranges, except Valencia, Lue Gim Gong, or similar late-maturing oranges of the Valencia type, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet:

(iii) Any Valencia, Lue Gim Gong, or similar late-maturing oranges of the Valencia type, grown in the State of Florida which are of a size smaller than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box: or

(iv) Any oranges, except Temple oranges and Valencia, Lue Gim Gong, or similar late-maturing oranges of the Valencia type, grown in the State of Florida, which are of a size smaller than a size that will pack 252 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order and the terms "U. S. No. 1," "U. S. No. 1 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Oranges (§§ 51.1140 to 51.1186 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated. February 2, 1955.

[SEAL] FLOYD F HEDLUND,
Acting Director Fruit and Vegetable Division, Agricultural
Marketing Service.

[F R. Doc. 55-1092; Filed, Feb. 4, 1955; 8:49 a. m.]

[Grapefruit Reg. 217]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

#### LIMITATION OF SHIPMENTS

§ 933.723 Grapefruit Regulation 217-(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges. grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237. 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 7, 1955. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 7, 1955; the recommendation and supporting information for continued regulation subsequent to February 6, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 1, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary in order to effectuate the declared policy of the act, to make this section effective during

the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) Order (1) During the period beginning at 12:01 a.m., e. s. t., February 7, 1955, and ending at 12:01 a. m., e. s. t., February 21, 1955, no handler shall ship:

white seeded grapefruit, (i) Anv grown in the State of Florida, which do not grade at least U.S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U.S. No. 2:

(iii) Any seedless grapefruit, grown in the State of Florida, which do not grade at least U.S. No. 2 Russet;

(iv) Any white seeded grapefruit. grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vii) Any white seedless grapefruit, own in "Regulation Area 1," that grown in grade U. S. No. 2 Bright, U. S. No. 2 or U. S. No. 2 Russet, which are of a size larger than a size that will pack 64 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," "ship," "Growers Administrative Committee" and "Regulation Area I," shall have the same meaning as when used in said amended marketing agreement and order and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§§ 51.750-51.790 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 2, 1955.

FLOYD F HEDLUND. [SEAL] Acting Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55-1091; Filed, Feb. 4, 1955; 8:49 a. m.]

[Lemon Reg. 575]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

#### LIMITATIONS OF SHIPMENTS

§ 953.682 Lemon Regulation 575—(a) Findings. (1) Pursuant to the market-

ing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F R. 7175) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237. 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona. are currently subject to regulation pursuant to said amended marketing agreement and order the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on February 2, 1955, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period heremafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) Order (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a.m., P s. t., February 6, 1955, and ending at 12:01 a.m., P s. t., February 13, 1955, is hereby fixed as follows:

- (i) District 1. 15 carloads:
- (ii) District 2: 200 carloads;
- (iii) District 3 Unlimited movement.
- (2) As used in this section, "handled." "carloads," "District 1," "District 2," and "District 3" shall have the same meaning

as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 3, 1955.

FLOYD F HEDLUND. [SEAL] Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F R. Doc. 55-1121; Filed, Feb. 4, 1955; 8:48 a. m.]

#### TITLE 14—CIVIL AVIATION

#### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 4]

PART 617-AIR TRAFFIC CONTROL RULES MISCELLANEOUS AMENDMENTS

This amendment revises certain rules under which air traffic control tower operators issue clearances to aircraft. The amendment has been coordinated with interested persons through the Airspace Subcommittee of the Air Coordinating Committee. These revised rules should be made effective without delay in order to promote safety. Further compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is impracticable, therefore not required.

1. Section 617.22 (e) (1) (i) amended to read as follows:

§ 617.22 Control of traffic on and in vicinity of landing area. \* \*

(e) Control of traffic in the traffic pattern. \* \* \* \* (1) \* \* \*

- (i) Formation commanders are responsible for separation between aircraft in the formation while operating within the traffic pattern and on the landing area.
- 2. Section 617.23 (d) (2) is amended to read as follows:
  - § 617.23 Visual signals. \* \* \*
- (d) Light signals to indicate restriction of visual flight rule operations in the control zone. \* \* \*
- (2) Between sunset and sunrise, flashing lights outlining the traffic direction indicator, if provided, shall be operated to mean that ground visibility in the control zone is less than 3 miles and/or the ceiling is less than 1,000 feet and that a traffic clearance is required for landings, takeoffs, and flight in the traffic pattern.
- 3. Section 617.24 is amended to read as follows:
- § 617.24 Radiotelephone technique-(a) General. The operation of the radiotelephone facilities of an airport traffic control tower shall be accomplished in accordance with the rules outlined herein.
- (b) Calls and replies. (1) Airport traffic control towers shall be identified during radiotelephone communication as follows:
- (i) Air Force and civil towers-by the name of the airport followed by the word "Tower." Examples:

"Bolling Tower." "Washington Tower." "Norfolk Tower."

(ii) Navy towers-by the name of the service followed by the name of the airport and the word "Tower." Examples:

"Navy Norfolk Tower." "Navy Patuxent Tower."

- (2) Airway communications stations shall be identified during radiotelephone communication in the following manner.
- (i) CAA interstate airway communications stations-by the name of the location followed by the word "Radio." Examples:

"Washington Radio." "Norfolk Radio."

(ii) Air Force communications stations associated with radio range facilities—by the name of the airport followed by the word "Airways." Examples:

"Andrews Airways." "Mitchel Airways."

(iii) Navy communications stations associated with radio range facilitiesby the name of the facility followed by the word "Radio."

Examples:

"Navy Norfolk Radio." "Navy Jacksonville Radio."

- (3) Aircraft call signs-Aircraft shall be identified during radio-telephone communication as follows:
- (i) Military aircraft—by the name of the service or unit name followed by the complete service serial number or trip number. Examples:

"Air Force seven eight two nine four." "Navy four three six one."

"National Guard two one six one."

(ii) Civil itinerant aircraft—by the aircraft make or type name, if known, followed by the complete certificate number, or the numbers known. Examples:

"Waco two one six eight five." "Stinson three seven two Y."

(iii) Aircraft of foreign registry-by the aircraft radio call letters, by the registration number, by a combination of company name and radio call or by a combination of company name and trip number, as specified in flight plan. Examples:

"PHALT \_\_\_\_ Radio Call." "CFACB \_\_\_. "SPEEDBIRD Company Name and GABCD.

14.

Registration." Radio Call." "SPEEDBIRD Company Name and Trip Number."

(iv) After radio contact has been established, the aircraft radio identification may be reduced to not less than two digits or letters provided there is no possibility of error. Examples:

"Air Force two nine four." "Waco six eight."

NOTE: Until the aircraft make is determined, the whole certificate number of registry should be used.

(v) Scheduled air carrier-by the abbreviated name of the operating company followed by the trip number spoken as a group. Examples:

"United fifteen."

- "American six."
- "Eastern twenty-two."
- "TWA four thirty-six."
- (4) Personnel shall be on the alert for potential confliction or partial duplication of call signs and shall take action to avoid confustion. For example, if TWA 55 and UAL 55 are both in contact with the same facility, the air carrier name should be emphasized. Both pilots shall be advised of the possible confliction so that they will be alerted against questioning or accepting clearances issued to the other.
- (5) The name of the pilot should not ordinarily be utilized in routine two-way radio communications.
- (6) Radiotelephone contacts—Each radiotelephone contact generally comprises four parts as follows:

(i) Call up.

- (ii) Reply or invitation to go ahead, (iii) Message or information to be conveyed.
- (iv) Acknowledgment.

Note: The word "out" will not normally be used by tower controllers.

- (7) Communication shall be initiated by call up and reply when:
- (i) Communication has not been established;
- (ii) Previous contact has been terminated.
- (8) The call up—The normal call up comprises the call sign of the aircraft or facility to be called, the words "This Is," the call sign of the caller, and the word "Over." Examples:

"Anchorage tower this is Northwest four thirty-six, over.'

"Willow Run tower this is Lake Central fifty-five, over."

(9) The reply—The normal reply comprises the call sign of the aircraft or facility making the call, the words "This Is," the call sign of the answering aircraft or facility, and the word "Over." Examples:

"Air Force five five six six seven, this is Baltimore tower, over."

"Navy one one two two three, this is Midway approach control, over."

- (10) Abbreviated contact procedure-When no confusion or misidentification will occur, abbreviated contact procedures may be used in accordance with the following:
- (i) The words "This Is" may be omitted from call up and replies.
- (ii) The word "Over" may be omitted when the message is a question or a request for information, or otherwise implies that a reply is desired.
- (iii) When a message is short, or when it is believed that the call up will be received without difficulty the message may be transmitted following the call up without waiting for a reply

NOTE: The call up includes the call sign of the aircraft being called and the call sign of the caller.

(iv) After contact has been definitely established, it may be continued without further call up or identification except that the instructions intended for a specific aircraft shall be preceded by the call sign of that aircraft.

4. Section 617.25 (b) (7) (ii) (k) (c) (1) (i) (2) (e) (1) and (2) are amended to read as follows:

§ 617.25 Standard traffic clearances and phraseologies. • • •

(b) Standard phraseologies for traffic clearances. \* \* \*

(7) \* \* \*

(ii) \* \* \*

(k) Whenever it is desired that a pilot lengthen the downwind leg, the following phraseology will be used:

"Extend downwind leg."

\* (c) Description of essential local traffic. \* \* \* \* (1) \* \* \* \*

(i) \* \* \*

(2) Air carrier traffic. Air carrier traffic shall be described by use of the air carrier company name painted on the aircraft followed by the type of aircraft. Examples:

"American DC-6." "TWA Martin."

Note: Pilots operating interchange aircraft will advise towers of the name painted on, and the type of aircraft, in the initial contact. Example: "National nine ten a Capital Constellation." . .

(e) Statement of figures in radio-telephone transmissions. \* \* \*

(1) Figures indicating hundreds and thousands in round numbers up to and including 12,000 shall be spoken in hundreds and thousands as appropriate. Examples:

Number. Statement "Five hundred."

1,300---- "Four thousand three hundred."

4,500---- "Four thousand five hundred." 10,000\_\_\_\_ "Ten thousand."
12,000\_\_\_ "Twelve thousand."

(2) Numbers above 12,000 shall be spoken by separating the digits preceding the word "Thousand." Examples:

Number: Statement

13.000\_ "One three thousand." 18,500\_ "One eight thousand five hundred." 27,000. "Two seven thousand."

(Sec. 205, 52 Stat. 984, as amended; 49 U.S.C. 425. Interpret or apply Sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective upon publication in the FEDERAL RESISTER.

F F LEE. Administrator of Civil Aeronautics.

[F R. Doc. 55-1069; Filed, Feb. 4, 1955; 8:45 a. m.]

#### TITLE 26—INTERNAL REVENUE

#### Chapter I—Internal Revenue Service. Department of the Treasury

Subchapter C-Miscellaneous Excise Taxes

[T. D. 6123; Reg. 66]

PART 305-TAX ON PLAYING CARDS

#### IMPORTED PLAYING CARDS

Regulations 66 amended to conform to section 321 of the Tariff Act of 1930, as amended by section 13 of the Customs Simplification Act of 1953, relating to administrative exemptions.

Section 321 of the Tariff Act of 1930, as amended by section 13 of the Customs Simplification Act of 1953 (67 Stat. 515, 19 U. S. C. 1321) authorizes the Secretary under such regulations as he shall prescribe, to admit, free of customs duty and internal-revenue tax, certain imported articles not exceeding \$10 in value. The Customs Regulations (19 CFR 8.3) and 9.6) prescribe the circumstances under which such articles may be imported free of customs duty and internalrevenue tax. In order to conform Regulations 66 (26 CFR Part 305) as made applicable to the Internal Revenue Code of 1939 by Treasury Decision 4885, approved February 11, 1939 (26 CFR, Cum. Supp., note, p. 5876) to section 321 of the Tariff Act of 1930, as amended by section 13 of the Customs Simplification Act of 1953, the first sentence of article 19 (a) of such regulations, as amended by Treasury Decision 5080, approved Oct. 3, 1941 (26 CFR 305.19 (a)) is further amended to read as follows: "Except as set forth in the Customs Reguglations (19 CFR 8.3 and 9.6) relating to certain importations on and after September 7, 1953, of articles not exceeding \$10 in value, playing cards imported from foreign countries on and after October 1, 1941, must be tax-paid at the rate of 13 cents per pack of not more than 54 cards'

Because this Treasury decision merely makes reference to the applicable sections of the Customs Regulations which permit the importation of certain playing cards free of duty and internal-revenue tax, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(53 Stat. 204, 467; 26 U. S. C. 1836, 3791). Interprets or applies sec. 13, 67 Stat. 515; 19 U. S. C. 1321)

[SEAL]

O. GORDON DELK,
Acting Commissioner of
Internal Revenue.

Approved: February 1, 1955.

M. B. Folsom, Acting Secretary of the Treasury.

[F R. Doc. 55-1084; Filed, Feb. 4, 1955; 8:47 a. m.]

# TITLE 17—COMMODITY AND SECURITIES EXCHANGES

# Chapter Il—Securities and Exchange Commission

PART 231—INTERPRETATIVE RELEASES RE-LATING TO SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

PART 271—INTERPRETATIVE RELEASES RE-LATING TO THE INVESTMENT COMPANY ACT OF 1940 AND GENERAL RULES AND REGULATIONS THEREUNDER

STATEMENT OF POLICY OF THE COMMISSION RELATING TO ADVERTISING AND SUPPLE-MENTAL SALES LITERATURE USED IN SALE OF INVESTMENT COMPANY SHARES

§ 231.3530 Statement of Policy of the Commission relating to advertising and

supplemental sales literature used in the sale of investment company shares. The Securities and Exchange Commission with the assistance of the National Association of Securities Dealers, Inc., in 1950 reviewed samples of advertising and supplemental sales literature used in the sale of investment company shares, much of which was not filed with this Commission. This review revealed the existence of many practices in connection with the use, form and content of certain advertising and sales literature which, in the opinion of the Commission, might violate statutory standards, including provisions of the Securities Act of 1933 and the Investment Company Act of 1940.

The Commission, therefore, deeming it necessary and appropriate to set forth a Statement of Policy so that issuers, underwriters and dealers might understand certain of the types of advertising and sales literature which the Commission considers may be violative of the statutory standards, originally issued this Statement of Policy on August 11, 1950. In the light of administrative experience since 1950, certain amendments are hereby incorporated, effective January 31, 1955.

It should be emphasized that the following Statement of Policy as amended, does not attempt to cover all possible abuses, and that literature which complies with this Statement may not be used if it is in fact misleading. Conversely nothing in this Statement of Policy is intended to prevent the use of factual statements, fairly presented, concerning fundamental investment policies and objectives, investment restrictions or other characteristics of a particular investment company

"Sales literature" as used hereafter shall be deemed to include any communication (whether in writing, by radio or by television) used by an issuer, underwriter, or dealer to induce the purchase of shares of an investment company. Reports of issuers to the extent they are transmitted to shareholders and do not contain an express offer are not deemed to be "sales literature" within the meaning of this definition but shall conform to this Statement of Policy. Communications between issuers, underwriters and dealers are included in this definition of "sales literature" only if such communications are passed on either orally or in writing or are shown to prospective investors or are designed to be employed in either written or oral form in the sale of securities.

For the purpose of interpreting this Statement of Policy a piece of sales literature shall be deemed materially misleading by reason of an implication, as contemplated herein, if such sales literature (1) includes an untrue statement of a material fact, or (2) omits to state a material fact necessary in order to make a statement made, in the light of the circumstances of its use, not misleading.

It will be considered materially misleading hereafter for sales literature:

(a) Rates of return: To represent or imply a percentage return on an investment in the shares of an investment company unless based upon:

(1) Dividends from net investment income paid during a fiscal year related

to the average monthly offering price for such fiscal year, provided that if any year prior to the most recent fiscal year is selected for this purpose, the rate of return for all subsequent fiscal years, similarly calculated, shall also be stated, or

(2) Dividends paid from net investment income during the twelve months ending not earlier than the close of the calendar month immediately preceding the date of publication related to an offering price current at said date of publication.

In either case the basis of the calculation shall be shown and adjustment made for capital gains distributions and any other factor necessary to make the presentation not misleading. "Net investment income" as used above shall include net accrued undivided earnings included in the price of capital shares issued and repurchased and shall be as required to be included in the issuer's prospectus. Every such statement of return shall be accompanied by a statement to the effect that such return is based upon dividends paid in the period covered and is not a representation of future results. Either in the same text, or by reference in the same text to an historical table elsewhere in the same piece of literature, there must be shown the per-share asset value at the beginning and end of the period, or the increase or decrease (stated in percentage) in asset value.

- (b) (1) To combine into any one amount distributions from net investment income and distributions from any other source.
- (2) To represent or imply an assurance that an investor will receive a stable, continuous, dependable, or liberal return or that he will receive any specified rate or rates of return.
- (c) Safety of capital: To represent or imply an assurance that an investor's capital will increase or that purchase of investment company shares involves a preservation of original capital and a protection against loss in value. To discuss accumulation of capital, preservation of capital, accumulation of an estate, protection against loss of purchasing power, diversification of investments, financial independence or profit possibilities without pointing out or explaining the market risks inherently involved in the investment.
- (d) Government regulation: To make any reference to registration or regulation of any investment company under Federal or state authority without explaining that this does not involve supervision of management or investment practices or policies.
- (e) Protection of investors: To represent or imply that services of banking institutions as custodian of securities, transfer agent, or dividend disbursing agent, provide protection for investors against possible depreciation of assets or that such institutions maintain any supervisory function over management in such matters as purchase and sale of portfolio securities or payment of dividends or provide any trusteeship protection, or to fail to state the extent of the limited role of the custodian whenever the advantages of custodial services are discussed.

- (f) Redemption: To state or discuss the redemption features of investment company shares without explaining in such statement that the value of the shares on redemption may be more or less than the investor's cost, depending upon the market value of the portfolio securities at the time of redemption.
- (g) Comparisons generally. (1) To represent or imply that shares of an investment company are similar to or as safe as government bonds, insurance annuities, savings accounts or life insurance, or have the fixed income, principal, or any other features of a debt security
- (2) To represent or imply that the management of an investment company is under the same type of investment restrictions or is operated under limitations similar to or has fiduciary obligations such as those imposed by governmental authorities on savings banks and insurance companies, except to the extent that it is so restricted or limited by its statement of policy on file with this Commission.
- (h) Comparison with market index or other security. To use any comparison of an investment company security with any other security or medium of investment or any security index or average without pointing out:
- (1) That the particular security or index or average and period were selected; and,(2) That the results disclosed should
- (2) That the results disclosed should be considered in the light of the company's investment policy and objectives, the characteristics and quality of the company's investments, and the period selected; and,
- (3) The material differences or similarities between the subjects of the comparisons; and,
- (4) What the comparison is designed to show and
- (5) Anything else that may be necessary to make the comparison fair.
- (i) To represent or imply that investment companies in general are direct sources of new capital to industry or that a particular investment company is such a source unless the extent to which such investments are made is disclosed.
- (j) Performance charts and tables:
  (1) To use any chart designed to depict the record of an assumed investment in the shares of an investment company over a specific period of time unless it is prepared in accordance with the following:
- (i) Such chart shall be drawn to scale and shall cover a period of not more than the immediately preceding ten years, or the life of the company whichever is less, provided that a portion of the current year may be added to the period ended with the last fiscal or calendar year.
- (ii) The initial asset value and the maximum selling commission currently in effect shall be shown as a gross figure or separately in a single bar, drawn to scale, at the left side of the chart.
- (iii) Figures shall be placed on the chart giving the net asset values at each year end, and the cumulative annual distributions from realized capital gains.

- or in case such capital gains are shown as reinvested, the total cumulative liquidating value at the end of each year.
- (iv) The section representing the accumulated distributions from capital gains, or the cumulative liquidating value thereof if reinvested, shall be shown above the line representing the asset value at year ends, or in a bar chart similar to that prescribed to show dividends from investment income in subdivision (vi) of this subparagraph.
- (v) Where reinvestment of capital gains distributions is shown, the chart shall also reflect in the text the end results which would have been obtained if such distributions had not been reinvested.
- (vi) Dividends from investment income shall be shown in a separate bar chart for each year depicted and the total thereof.
- (vii) The text and graphic detail shall be as shown on the Sample Charts A and B,' except that any reasonable paraphrase may be used. Charts may be set up in amounts other than the \$10,000 shown on the sample charts, or on a per share basis. Appropriate footnotes may be used to show that the selling commission on single purchases over certain figures are less than the gross selling commission shown in the bar on the left side of the chart.

Any table containing the same information and covering the same period of time as set forth above as to charts may also be used. Any such table designed to depict a continuous investment program shall be based on the actual offering prices of the shares of a particular investment company and shall show the total cumulative payments at each year end.

- (2) To use any chart or table depicting the record of an investment company (as distinguished from charts or tables depicting assumed investment experience, covered in subparagraph (1) of this paragraph) over a specific period of time other than the following:
- (i) A single line chart such as shown in Sample Chart C,¹ depicting the net asset value per share at year ends (either calendar or fiscal) Such a chart may cover the life of the company or periods of ten years or longer, provided such additional periods are in multiples of five years. Such a chart shall show annual distributions per share from net investment income and from capital gains on a non-cumulative and non-reinvested basis in tabular form beneath the base line of the chart.
- (ii) A statistical table which shows, as of each year-end (either calendar or fiscal) for the life of the company or for periods of ten years or longer, provided such periods are in multiples of five years, number of shares outstanding; number of shareholders; total net assets; net asset value per share; capital gains distributions per share; and dividends from net invested income.
- (k) Management claims: To make any extravagant claims regarding management ability or competency.
  - Filed as part of the original document.

- (1) To represent or imply that investment companies are operated as, or are similar to, "co-operatives"
- (m) To represent or imply that investment company shares generally have been selected by fiduciaries.
- (n) Continuous investment programs: (1) To use the phrase "dollar averaging" or "averaging the dollar" (although the phrases "dollar cost averaging" or "cost averaging" are not objectionable) in referring to any plan of continuous investment in the shares of an investment company at stated intervals regardless of the price level of the shares.
- (2) To discuss or portray the principles of dollar cost averaging, or cost averaging, or to discuss or portray any Periodic Payment Plan referred to in section 27 (a) of the Investment Company Act of 1940, without making clear.
- (i) That the investor will incur a loss under such plan if he discontinues the plan when the market value of his accumulated shares is less than his cost;
- (ii) That the investor is investing his funds primarily in securities subject to market fluctuations and that the method involves continuous investment in such shares at regular intervals regardless of price levels; and
- (iii) That the investor must take into account his financial ability to continue such plan through periods of low price levels: and
- (iv) That such plans do not protect against loss in value in declining markets.
- (3) To discuss or portray any other type of continuous investment plan without making clear that such type of investment plan does not assure a profit and does not protect against depreciation in declining markets.
- (4) To use any table depicting the reinvestment of dividends from investment income other than summary tables in the following form which are accompanied by a chart or table meeting the requirements of paragraph (j) (1) of this section:

A. Continuous investment plans:
Assuming receipt by the shareholder of capital gains distributions in stock and reinvestment of dividends from net investment income in additional shares at the time of receipt of the dividend:

Total monthly payments over
Cost of shares purchased with dividends from net investment income 1
Total investment cost
B. Single investment plans:

Assuming receipt by shareholders of capital gains distributions in stock and reinvestment of dividends from net investment income in additional shares at the time of receipt of the dividend:

Initial investment	8
Cost of shares purchased with divi-	
dends from investment income 1	
-	

<sup>1</sup> If such cost includes a sales commission, this fact should be stated.

(o) Sales commissions: To fail to include in any sales literature which does not state the amount or rate of the sales commission (except communications which deal only with routine business matters or which do not purport to discuss or describe any investment company or investment company security) a clear reference to the prospectus or prospectuses for information concerning the sales commission, and other information.

(p) To fail to include in any sales literature which is designed to encourage investors to switch from one investment company to another, or from one class of security of an investment company to another class, the substance of the following statement in a separate paragraph in type as large as that used generally in the body of the piece:

Switching from the securities of one investment company to another, or from one class of security of an investment company to another, involves a sales charge on each such transaction, for details of which see the prospectus. The prospective purchaser should measure these costs against the claimed advantage of the switch.

- (q) Industry performance against company performance: To represent or imply that the performance of any particular company may be measured by or compared with or related to the performance of a particular industry unless the extent and scope of the portfolio of the particular company is such that its performance will generally approximate that of the industry.
- (r) Reprints: To employ material in whole or in part from published articles or documents descriptive of or relating to investment companies unless such material, or the literature including such material, complies with this Statement of Policy and in addition such material is not taken out of context in a manner which alters its intended meaning.

Note: The text of § 271.2086 is identical with that appearing in § 231.3530.

The revised Statement of Policy is effective January 31, 1955.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

JANUARY 28, 1955.

[F R. Doc. 55-1072; Filed, Feb. 4, 1955; 8:45 a. m.]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

FORMS FOR ANNUAL AND OTHER REPORTS OF ISSUERS HAVING SECURITIES REGISTERED ON NATIONAL SECURITIES EXCHANGES

On December 20, 1954, the Commission published notice that it had under consideration proposed amendments to Form 10-K (17 CFR 249.310) one of the forms for annual reports by listed issuers under the Securities Exchange Act of 1934. The Commission has considered the comments received and has determined to adopt the amendments in the form set forth below.

Instruction 8 of the Instructions as to Financial Statements in Form 10-K is amended to provide that financial statements need not be certified if the registrant is not in production and certain other conditions are met.

General Instruction F and Item 2 are amended to require an express statement in reports on Form 10-K that no report has been submitted to stockholders, where such is the case. Heretofore, no method of giving the Commission this information was prescribed.

The text of the amendments is set forth below:

Instruction 8 of the Instructions as to Financial Statements is amended to read as follows:

- 8. Registrants not in the production stage.
  (a) Notwithstanding the foregoing instructions, if the registrant falls within the terms of paragraph (b) or (c) of Rule 5A-01 (§ 210.5a-01) of Regulation S-X, the following statements, all of which shall be certified except as provided in (b) below, shall be filed for the registrant and each of its significant subsidiaries, if any
- (i) The statements specified in Rules 5A-02, 5A-03, 5A-04, 5A-05 and 5A-07 (§§ 210.5a-02, 210.5a-03, 210.5a-04, 210.5a-05 and 210.5a-07) shall be filed as of the end of the fiscal year.
- (ii) The statement of cash receipts and disbursements specified in Rule 5A-06 (§ 210.5a-06) shall be filed for the fiscal year.
- (b) The finanacial statements prescribed in (a) above need not be certified if all of the following conditions are met by the registrant and each of its significant subsidiaries, if any
- (i) Gross receipts from all sources for the fiscal year are not in excess of \$5,000,
- (ii) The registrant has not purchased or sold any of its own stock, granted options therefor, or levied assessments upon outstanding stock.
- (iii) Expenditures for all purposes for the fiscal year are not in excess of \$5,000,
- (iv) No material change in the business has occurred during the fiscal year, including any bankruptcy, reorganization, readjustment or succession or any material acquisition or disposition of plants, mines, mining equipment, mining rights or leases.
- (v) No exchange upon which the shares are listed, or governmental authority having jurisdiction, requires the furnishing to it, or the publication of, certified financial statements.

The last sentence of General Instruction F is amended to read as follows: "If no annual report was submitted to stockholders for the registrant's last fiscal year, so state under Item 2 of the annual report on Form 10-K."

Item 2 is amended by adding at the end thereof an Instruction reading as follows:

Instruction. If no annual report was submitted to stockholders for the registrant's last fiscal year, so state immediately following the table.

The foregoing action is taken pursuant to the Securities Exchange Act of 1934, particularly sections 13, 15 (d) and 23 (a) thereof. Such action shall become effective immediately upon publication January 31, 1955, provided that any report filed with the Commission prior to February 28, 1955, may at the option of the registrant be filed on Form

10-K as in effect immediately prior to such effective date.

(Sec. 23, 48 Stat. 901 as amended; 15 U. S. C. 78w. Interprets or applies secs. 13, 15, 48 Stat. 894, 895, as amended; 15 U. S. C. 78m, 780)

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

JANUARY 28, 1955.

[F R. Doc. 55-1073; Filed, Feb. 4, 1955; 8:45 a. m.]

#### TITLE 19—CUSTOMS DUTIES

#### Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53725]

PART 72—IMPORTATION OF ARTICLES IN CONNECTION WITH THE WASHINGTON STATE FOURTH INTERNATIONAL TRADE FAIR AT SEATTLE, WASHINGTON, UNDER PUBLIC LAW NO. 485, 830 CONGRESS A

The following regulations under Public Law No. 485, 83d Congress, approved July 14, 1954, relate to the entry of articles in connection with the Washington State Fourth International Trade Fair to be held at Seattle, Washington, March 11 to March 25, 1955.

Sec

72.1 Invoices; marking; bond.

72.2 Entry; appraisement; procedure.

72.3 Compliance, provisions of Plant Quarantine Act of 1912, and Federal Food Drug and Cosmetic Act.

72.4 Detail of customs officers to protect revenue; expenses.

72.5 Withdrawal of articles from exhibition for exportation, abandonment, destruction, or for consumption or entry under the general tariff law; involuntary abandonment.

AUTHORITY: §§ 72.1 to 72.5 issued under Pub. Law 485, 83d Cong.

All articles which shall be imported from foreign countries for the purpose of exhibition at the Washington State Fourth International Trade Fair, to be held at Seattle, Washington, from March 11 to March 25, 1955, inclusive, by the International Trade Fair, Incorporated, a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the said trade fair, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said trade fair to sell within the area of the trade fair any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: Provided, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law. Provided further That imported articles pro-

- § 72.1 Invoices; marking; bond. (a) Articles intended for exhibition under the provisions of Public Law No. 485, 83d Congress, and valued at over \$250, are subject to the usual certified invoice requirements if of a class for which such invoices are required under the Tariff Act of 1930, as amended, and the regulations issued thereunder. The certified invoices shall be on foreign service Form 138 (Invoice of Merchandise) and shall contain the information prescribed under section 481 of the Tariff Act of 1930. (19 U. S. C. 1481.)
- (b) The marking requirements of the Tariff Act of 1930, as amended, and the regulations promulgated thereunder will not apply to articles imported under the regulations in this part except when such articles are withdrawn for consumption or use in the United States, in which case they shall be released from customs custody only upon a full compliance with the marking requirements of the tariff act, as amended, and the regulations promulgated thereunder.
- (c) The International Trade Fair, Incorporated, shall give to the collector of customs at Seattle, Washington, a bond in an amount to be determined by the collector and containing such conditions for compliance with Public Law No. 485, 83d Congress, and the regulations in this part, as shall be approved by the Bureau of Customs.

vided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: Provided further That at any time during or within three months after the close of the trade fair, any article entered hereunder may be abandoned to the Government or destroyed under customs super-vision, whereupon any duties on such article shall be remitted: Provided further articles which have been admitted without payment of duty for exhibition-under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said trade fair under such regulations as the Secretary of the Treasury shall prescribe: And provided further That the International Trade Fair, Incorporated, a corporation, shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this joint resolution, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this joint resolution, shall be reimbursed by the International Trade Fair, Incorporated, a corporation, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930, as amended (U.S. C. 1946 edition, title 19, sec. 1524).

- § 72.2 Entry; appraisement; procedure. (a) All entries under the regulations in this part shall be made at the port of Seattle, Washington, in the name of the International Trade Fair, Incorporated, which shall be deemed for customs purposes the sole consignee of the merchandise entered under the act and which shall be held responsible to the Government for all duties and charges due the United States on account of such entries; but, in the case of merchandise withdrawn from entry under these regulations, an entry under the general tariff law in the name of any person duly authorized in writing by the International Trade Fair, Incorporated, to make such entry may be accepted by the collector.
- (b) Articles to be entered under the regulations in this part which arrive at ports other than Seattle shall be entered for immediate transportation without appraisement to the latter port in the manner prescribed by the general customs regulations.
- (c) Upon the arrival at the port of Seattle of articles to be entered under the regulations in this part, they shall be entered on a special form of entry to read substantially as follows:

## Entry For Exhibition Entry No. ....

Mark	No.	Package and contents	Quantity	Invoice value
			<b></b>	

INTERNATIONAL TRADE FAIR, INCORPORATED

- (d) Upon such entry being made, the collector shall issue a special permit for the transfer of the articles covered thereby to the buildings in which they are to be exhibited or used, or, in the discretion of the collector, to the appraiser's stores for examination and subsequent transfer to the buildings in which they are to be exhibited or used. The articles shall be tentatively appraised prior to their exhibition or use. All imported exhibits entered under the regulations in this part shall be kept segregated from domestic articles and imported duty-paid articles and shall not be removed from the exhibition building except in accordance with § 72.5 (a)
- (e) If for any reason articles imported for entry under the regulations in this part are not upon their arrival to be delivered immediately at an exhibition building, the importer should so indicate to the collector in writing, who will cause such articles to be placed in a bonded warehouse under a "general order permit" at the importer's risk and expense, and such articles may be entered at any time within one year from the date of importation for exhibition, as herein provided for, or under the gen-

- eral tariff law, or for exportation. If not so entered within such period, they will be regarded as abandoned to the Government.
- (f) Articles which have been admitted without payment of duty for exhibition under any customs law and which have remained in continuous customs custody or under a customs exhibition bond may be transferred to entry for exhibition at the fair in the manner prescribed in § 10.49 (c) of this chapter, except that in each case an entry under § 72.2 (c) shall be filed, which shall supersede any previous entry, and no new bond other than that specified in § 72.1 (c) shall be required. Imported articles in bonded warehouses under the general tariff law may be transferred to entry for exhibition at the fair in the manner prescribed in § 8.33 of this chapter.
- § 72.3 Compliance, provisions of Plant Quarantine Act of 1912, and Federal Food, Drug, and Cosmetic Act. The entry of plant and material subject to restriction under the Plant Quarantine Act of 1912, as amended (7 U.S. C. 151-164a, 167) shall not be permitted except under permits issued therefor by the Plant Quarantine Branch of the Agriculture Research Service, Department of Agriculture, and in accordance with the plant quarantine regulations. The entry of food products shall conform to the requirements of the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 301 et seq.) and regulations issued thereunder.
- § 72.4 Detail of customs officers to protect revenue; expenses. (a) The collector of customs at Seattle, Washington, shall detail an officer to act as his representative at the fair and shall station inside the exhibition buildings as many additional customs officers and employees as may be necessary to properly protect the revenue.
- (b) All actual and necessary customs charges for labor, services, and other expenses in connection with the entry examination, appraisement, release, or custody of imported articles, together with the necessary charges for salaries of customs officers and employees in connection with the supervision and custody of, and accounting for, articles imported for exhibition at the fair or transferred thereto for exhibition, shall be reimbursed by the International Trade Fair, Incorporated, to the Government. payment to be made monthly to the collector of customs, Seattle, Washington, for deposit to the credit of the Treasurer of the United States as a refund to the appropriation "Collecting the Revenue from Customs."
- § 72.5 Withdrawal of articles from exhibition for exportation, abandonment, destruction, or for consumption or entry under the general tariff law; involuntary abandonment. (a) Any articles entered under the regulations of this part may be withdrawn for exportation, for abandonment to the Government, for destruction under customs supervision, or for consumption or entry under the general tariff law, but not otherwise, at any time prior to the opening of the fair or at any time during or within three months

after the close of the fair. Upon the withdrawal of such articles for consumption or for entry under the general tariff law, or at the expiration of three months after the close of the fair in the case of articles not previously so withdrawn, they shall be appraised with due allowance made for diminution or deterioration from incidental handling or exposure. Such appraisal shall be final in the absence of an appeal to reappraisement. as provided in section 501 of the Tariff Act of 1930, as amended (19 U. S. C., In the case of such articles withdrawn for entry under the general tariff law under a warehouse bond or a bond conditioned upon exportation, the statutory period of the bond and any extension thereof shall be computed from the date of withdrawal from entry under the provisions of Public Law No. 485 of the 83d Congress.

(b) At any time prior to the opening of the fair, or at any time during or within three months after the close of the fair, any article entered hereundermay be abandoned to the Government or destroyed under customs supervision, as provided in § 15.4 of this chapter.

(c) Any articles entered under the regulations in this part which have not been withdrawn for consumption, entry

under the general tariff law, or exportation, or which have not been abandoned to the Government or destroyed under customs supervision, before the expiration of three months after the close of the fair, shall be regarded as abandoned to the Government.

[SEAL]

RALPH KELLY, Commissioner of Customs.

Approved: February 1, 1955.

H. CHAPMAN ROSE,

Acting Secretary of the Treasury.

[F R. Doc. 55-1083; Filed, Feb. 4, 1955; 8:47 a. m.]

### PROPOSED RULE MAKING

# FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 1 ]

[Docket No. 11228; FCC 55-124]

DISCLOSURE OF PATENT POSITIONS

EXTENSION OF TIME FOR FILING COMMENTS

In the matter of amendment of Part 1 of the Commission's rules to require disclosure of patent positions in rule making proceedings.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of

January 1955;

The Commission having under consideration the petition of the Central Committee on Radio Facilities of the American Petroleum Institute requesting that the time for filing comments in the above-entitled rule making proceeding, be extended to February 18, 1955. The petitioner seeks this additional time for further study of the Commission's proposed rule and the preparation of comments thereon.

It is ordered, That the time for filing comments in the Commission's notice in the above rule-making proceeding be, and it is hereby extended to February 18, 1955.

Released. January 31, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1085; Filed, Feb. 4, 1955; 8:48 a. m.]

#### [ 47 CFR Part 3 ]

[Docket No. 8333; FCC 55-94]

STANDARD BROADCAST STATIONS

RULES AND REGULATIONS AND STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING DAYTIME SKYWAVE TRANSMISSION

1. On March 12, 1954, the Commission released its proposed report and order (FCC 54-333) in this proceeding setting out its views with respect to changes in the rules and standards which we

deemed necessary and the applicability of these changes to new or changed facilities. Oral argument on the Commission's proposal was heard on July 15, 1954 before the Commission en banc. In the same document the Commission advised that there remained for consideration the question of the applicability of its daytime skywave proposal to existing permittees and licensees. It was noted that there are four categories of existing stations to which the proposed revisions may be applicable: (1) Class II daytimeonly stations; (2) Class II limited-time stations; (3) Class II unlimited-time stations; and (4) Class I-B stations located east of the other I-B stations on the channel and commencing nighttime operations at sunset at the other I-B station. A fifth category should be included-Class I-B stations operating on the same channel as other United States Class I-B stations not included in category (4) above. The Commission issued a notice of further rule making with respect to the applicability of the changed rules and standards to such existing stations and requested the comments of interested parties, prescribing May 3, 1954 as the last day for filing such comments. This date has subsequently been extended by various notices to April 17, 1955, with the time for filing replies to such comments extended to May 1, 1955.

2. Upon full review of the record before us in this proceeding, including the oral argument held on July 15, 1954, the Commission is of the present view that the proposal of the Commission upon which oral argument was held would appear to present a more equitable basis for a change in the Commission's rules than any of the counterproposals submitted in the proceeding. Upon such review, however, we are not convinced that we should make final our judgment in this respect without the benefit of the comments which are to be submitted in the portion of this proceeding raising the question of the application of any rules that may be adopted to existing stations, as well as to prospective applications. (As noted above, these comments were provided for in a notice of further rule making issued in this proceeding, with the date for filing comments extended to April 17, 1955, and the

date for filing replies extended to May 1, 1955.)

3. In view of the foregoing, the Commission is issuing this notice in order to advise interested parties of its tentative judgment as indicated above so that such parties may take this information into account in preparing and submitting their comments.

Adopted: January 26, 1955.

Released: January 27, 1955.

Federal Communications Commission.<sup>1</sup>

[SEAL] MARY JANE MORRIS,

Secretary.

[F R. Doc. 55-1086; Filed, Feb. 4, 1955; 8:48 a. m.]

### DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service { 7 CFR Part 982 ]

[Docket No. AO 238-A4]

HANDLING OF MILK IN CENTRAL WEST TEXAS MARKETING AREA

PROPOSED AMENDMENT TO TENTATIVE MAR-KETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900) notice is hereby given of a public hearing to be held in the Windsor Hotel, Abilene, Texas, beginning at 10:00 a. m., c. s. t., February 9, 1955.

Subject and issue involved in the hearing. This public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk in the Central West Texas marketing area and to the provision specified in the proposals listed below or some other provision appropriate to the terms of the Agricultural Marketing Agreement Act of 1937 which will best tend to effectuate

<sup>&</sup>lt;sup>1</sup>Dissenting opinion of Commissioner Hennock filed as part of original document.

the declared policy of the Agricultural Marketing Agreement Act of 1937.

The amendments to the order (No. 82) as amended, were proposed by the Central West Texas Producers Association:

1. Provide a special Class II price for milk utilized in the manufacture of Cheddar cheese.

2. Provide a compensatory payment on other source milk utilized in Class I during the months of January through June of each year.

Copies of this notice of hearing may be procured from the Market Administrator, 6619 Denton Drive, Dallas 19, Texas, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: February 3, 1955.

[SEAL] ROY W LENNARTSON,

Deputy Administrator

[F. R. Doc. 55-1095; Filed, Feb. 4, 1955; 8:48 a. m.]

### **NOTICES**

# FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11143; FCC 55M-96] CAPE FEAR BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Cape Fear Broadcasting Company, Elizabethtown, North Carolina, for construction permit; Docket No. 11143: File No. BP-9040.

The Commission having under consideration a petition of January 25, 1955, to continue the above-entitled proceeding from February 15, 1955, to April 18, 1955; and

It appearing that the purpose of the requested continuance is to enable the applicant to complete the taking of field intensity measurements which activity has been delayed by reason of unusual weather conditions; and

It appearing that the principal issue to be resolved in this proceeding is whether the operation of the proposed station will or will not cause objectionable interference to Station WMYB, Myrtle Beach, South Carolina, and that this issue may be resolved by an examination of the facts to be ascertained from the field measurements above-referred to; and

It appearing that there is no objection to granting the petition and that good cause has been shown that the same be granted:

It is ordered, This the 1st day of February 1955, that the petition for continuance is granted and the hearing in the above-entitled application is now continued from February 15, 1955, to April 18, 1955, beginning at 10:00 a.m. in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-1087; Filed, Feb. 4, 1955; 8:48 a. m.]

[Docket No. 11163; FCC 55M-97]
VILLAGE BROADCASTING CO.. (WOPA)
ORDER CONTINUING PRE-HEARING

ORDER CONTINUING PRE-HEARING
CONFERENCE
To reapplication of Richard Good

In re application of Richard Goodman, Mason Loundy and Egmont Sonderling, a partnership doing business as Village Broadcasting Company (WOPA) Oak Park, Illinois, for construction permit; Docket No. 11163, File No. BP-9271. With consent of counsel: It is ordered, This 1st day of February 1955, that the pre-hearing conference now scheduled for 10:00 a. m., Thursday February 3, 1955, is continued to 2:00 p. m., Monday, February 7, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,
MARY JANE MORRIS

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 55-1088; Filed, Feb. 4, 1955; 8:48 a. m.]

[Docket 11180; FCC 55M-93]

BILL MATHIS

ORDER CONTINUING PRE-HEARING
CONFERENCE

In re application of Bill Mathis, Abilene, Texas, for construction permit; Docket No. 11180, File No. BP-8917.

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on 1280 kc, with power of 500 watts, daytime only, at Abilene, Texas, on which a hearing is now scheduled to be held on March 10, 1955; and

It appearing that on January 20, 1955, the Hearing Examiner in the above-entitled proceeding issued a Notice of Pre-Hearing Conference to be held at the offices of this Commission on Wednesday February 2, 1955, and

It further appearing that on January 28, 1955, the Hearing Examiner was advised orally by telephone by Bill Mathis, the applicant in the above-entitled proceeding, that he intends to file within the next few days a petition to amend the above-entitled application to increase the operating power proposed therein from 500 watts to 1 kilowatt; and

It further appearing that in view of this contemplated action by the applicant a pre-hearing conference on the above-entitled application in its present form on the date now scheduled would serve no useful purpose:

It is ordered, This 28th day of January 1955, by the Commission on its own motion that the said pre-hearing conference is continued until further order.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,

Secretary.

[F. R. Doc. 55-1089; Filed, Feb. 4, 1955; 8:48 a. m.]

[Docket No. 11264; FCC 55-118] SHIGERU SATO

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Shigeru Sato, 1221 S. Main Street, Los Angeles, California, voidance of radiotelephone operator license and ship radar endorsement; Docket No. 11264.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 27th day of January 1955

The Commission having under consideration the Radiotelephone Second Class operator's license #P2-11-3813 issued January 28, 1953, with Ship Radar endorsement dated July 29, 1953, which have been issued to Shigeru Sato: and

It appearing, that in the applications for the above license and for said endorsement Shigeru Sato stated "I am a citizen of the United States by Birth"; and

It further appearing that according to the Certificate of Loss of the Nationality of the United States Form No. 348, issued by Douglas W Overton, American Vice Consul at Yokohama, Japan on April 13, 1948, Shigeru Sato appears to have expatriated himself under the provisions of section 401 (c) of Chapter IV of the Nationality Act of 1940 by serving in the Japanese Army from November 1, 1944 to September 1, 1945, and

It further appearing that under section 303 (1) of the Communications Act of 1934, as amended, and § 13.5 of the Commission's rules and regulations, station operators' licenses may be issued to citizens of the United States only and that the grant of the above-mentioned operator's license with Ship Radar endorsement was therefore void on the ground that Shigeru Sato had lost the U. S. citizenship at the time such license was granted:

It is ordered, That Shigeru Sato is directed to show cause why an order should not be issued declaring his Radiotelephone Second Class operator's license #P2-11-3813 issued January 28, 1953, with Ship Radar endorsement dated July 29, 1953 to be void.

It is further ordered, That a hearing in this matter be held at a place and time to be set by further order, in order to determine whether said license should be voided, and that Shigeru Sato is herewith called upon to appear at this hearing and give evidence upon the matters specified herein; and

It is further ordered, That Shigeru Sato is directed to file with the Commission within thirty days of the receipt of this order a written appearance in triplicate, stating that he will appear and present evidence on the matter specified in this order if he desires to avail himself of his opportunity to appear before the Commission. If said Shigeru Sato does not desire to appear before the Commission and give evidence on the matter specified herein, he shall, within thirty days of the receipt of this order, file with the Commission, in triplicate, a written waiver of hearing. Such waiver may be accompanied by a statement of reasons why Shigeru Sato believes that an order voiding said license with a ship radar endorsement should not be issued: and

It is further ordered, That failure of said Shigeru Sato timely to respond to this order, or failure to appear at the hearing designated herein, will be deemed a waiver of hearing and an order voiding the said license and endorsement will be entered.

Released: January 31, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,

Secretary.

[F D. Doc. 55-1090; Filed, Feb. 4, 1955; 8:48 a. m.]

### DEPARTMENT OF THE INTERIOR

#### Office of the Secretary

[Order 2786]

DEPUTY DIRECTOR, BUREAU OF MINES, ET AL.

DELEGATION OF AUTHORITY TO PERFORM
CERTAIN FUNCTIONS

JANUARY

SECTION 1. Deputy Director The Deputy Director of the Bureau of Mines may exercise all authority delegated to the Director by the Secretary of the Interior.

SEC. 2. Acting Director (a) In the absence of the Director of the Bureau of Mines, the Assistant Director for Health and Safety shall perform the functions and exercise the authority vested in the Director by Chapter 10 of Title 30, United States Code, under the title "Acting Director."

(b) In the absence of the Director and the Assistant Director for Health and Safety, the Chief, Division of Coal Mine Inspection, shall perform the functions and exercise the authority vested in the Director by Chapter 10 of Title 30, United States Code, under the title "Acting Director."

SEC. 3. Acting Deputy Director (a) In the absence of the Director and the Deputy Director, the functions of the latter shall be performed by the Assistant Director for Programs, under the title "Acting Deputy Director."

(b) In the absence of the Director, the Deputy Director and the Assistant Director for Programs, the functions of the Deputy Director shall be performed by the Assistant Director for Health and

Safety, under the title "Acting Deputy Director."

SEC. 4. Revocation. Order No. 2666 is revoked.

(Sec. 2, Reorg. Plan No. 3 of 1959; 5 U. S. C., 1952 ed., sec. 133z-15, note; 30 U. S. C., 1952 ed., sec. 2)

DOUGLAS McKAY, Secretary of the Interior

[F R. Doc. 55-1071; Filed, Feb. 4, 1955; 8:45 a. m.]

#### FEDERAL POWER COMMISSION

[Docket Nos. G-2405, G-2406, G-2753, G-2788, G-2789, G-2794, G-2795, G-2812, G-2817, G-2830, G-2935, G-3163, G-3606, G-3607, G-3631, G-3637, G-3787, G-3964—G-3966, G-4311]

TEXAS GAS PIPE LINE CORP ET AL.

NOTICE OF ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 1, 1955.

In the matters of Texas Gas Pipe Line Corporation, Docket No. G-2405, Transcontinental Gas Pipe Line Corporation, Docket No. G-2406: Lloyd H. Smith. Inc., Docket No. G-2753, Stanolind Oil and Gas Company, Docket No. G-2788; Stanolind Oil and Gas Company, Docket No. G-2789; F A. Callery, Inc., Docket No. G-2794, F A. Callery, Inc., Docket No. G-2795 Fidelity Oil and Royalty Company and Mound Company Docket No. G-2812; Jas. F Morse & Co., Docket No. G-2817 Texas Gulf Producing Company, Docket No. G-2830; Texas Gas Corporation, Docket No. G-2935, John W Mecom, Docket No. G-3163; Mc-Carthy Oil & Gas Corporation, Docket No. G-3606; McCarthy Oil & Gas Corporation, Docket No. G-3607 Kirby Petroleum Company Docket No. G-3631, Union Sulphur and Oil Corporation. Docket No. G-3637 H. R. Smith, et al., Docket No. G-3787 Phillips Petroleum Company Docket No. G-3964, Sun Oil Company (Gulf Coast Division) Docket No. G-3965 Sun Oil Company (Gulf Coast Division) Docket No. G-3966; Shell Oil Company, Docket No. G-4311.

Notice is hereby given that on December 29, 1954, the Federal Power Commission issued its order adopted December 22, 1954, issuing certificates of public convenience and necessity in the above-

entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F R. Doc. 55-1076; Filed, Feb. 4, 1955; 8:46 a. m.]

[Docket Nos. G-6810, G-6811, G-2951, G-2950]

ARGO OIL CORP ET AL.

NOTICE OF POSTPONEMENT OF HEARING

FEBRUARY 1, 1955.

In the matters of Argo Oil Corporation et al., Docket No. G-6810; Argo Oil Corporation and Magnolia Petroleum Company, Docket No. G-6811, Texas Illinois Natural Gas Pipeline Company v. Argo Oil Corporation et al., Docket

No. G-2951, Texas Illinois Natural Gas Pipeline Company v. Argo Oil Corporation and Magnolia Petroleum Company, Docket No. G-2950.

Notice is hereby given that the hearing in the above-designated matters now scheduled for February 7, 1955, is hereby postponed to 10:00 a.m., e. s. t., March 14, 1955, in the Commission's Hearing Room, 441 G Street NW., Washington, D. C.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1077; Filed, Feb. 4, 1955; 8:46 a. m.]

# SECURITIES AND EXCHANGE COMMISSION

[File No. 811-608]

CANADA GENERAL FUND, INC.

NOTICE OF FILING OF APPLICATION FOR OR-DER DECLARING THAT COMPANY HAS CEASED TO BE INVESTMENT COMPANY

JANUARY 28, 1955.

Notice is hereby given that Canada General Fund, Inc. ("Canada 1952") a Delaware corporation and a registered, open-end, diversified investment company has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 (the "act") for an order declaring that Canada 1952 has ceased to be an investment company under the act.

Canada 1952 filed a notification of registration under the act on June 6, 1952. Effective November 8, 1954, pursuant to vote of its stockholders, as required by the laws of Delaware, Canada 1952 effected a sale of substantially all its assets to Canada General Fund (1954) Limited ("Canada 1954") a registered, open-end, diversified investment company organized under the laws of Canada. Such sale was made pursuant to an agreement and plan of liquidation which provides for the distribution in liquidation to the stockholders of Canada 1952 of stock of Canada 1954 (and cash for fractional shares) on an equivalent net asset basis.

Canada 1952 has filed appropriate documents with the State of Delaware so that it has now been dissolved pursuant to the General Corporation Laws of that State.

Section 8 (f) of the act provides, in part, that whenever the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and that upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 10, 1955, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing

thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F R. Doc. 55-1074; Filed, Feb. 4, 1955; 8:45 a. m.]

# UNITED STATES TARIFF COMMISSION

[List No. D-69]

AMERICAN KNIT HANDWEAR ASSN., INC.
NOTICE OF DISMISSAL OF APPLICATION FOR
INVESTIGATION

FEBRUARY 1, 1955.

The United States Tariff Commission on February 1, 1955, denied and dismissed the application of the American Knit Handwear Association, Incorporated, Gloversville, New York, for an investigation under the provisions of section 336 of the Tariff Act of 1930 with respect to knit or crocheted cotton gloves and mittens provided for in paragraph 917 of the Tariff Act of 1930. Public notice of the receipt of the application appeared in the Federal Register of May 15, 1954 (19 F R. 2833)

By order of the Commission.

[SEAL]

DONN N. BENT, Secretary.

[F R. Doc. 55-1075; Filed, Feb. 4, 1955; 8:45 a. m.]

# INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30205]

ELECTRIC LAMPS FROM BELLEVUE AND CLEVELAND, OHIO, TO KANSAS CITY, KANS.

APPLICATION FOR RELIEF

FEBRUARY 2, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. 4238, pursuant to fourth-section order No. 17220.

Commodities involved: Lamps, electric, incandescent, carloads.

From: Bellevue and Cleveland, Ohio. To: Kansas City, Kans.

Grounds for relief: Competition with rail carriers and circuity.

In such application without further or formal hearing. If because of an emer-

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird, Secretary.

[F R. Doc. 55-1080; Filed, Feb. 4, 1955; 8:47 a. m.]

14th Sec. Application 302061

BITUMINOUS FINE COAL FROM ILLINOIS, INDIANA, AND WESTERN KENTUCKY TO BELOIT, WIS.

#### APPLICATION FOR RELIEF

FEBRUARY 2, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. G. Raasch, Agent, for carriers parties to schedules indicated below.

Commodities involved. Bituminous fine coal, carloads.

From. Mines in Illinois, Indiana, and western Kentucky.

To: Beloit, Wis., North Beloit and South Beloit, Ill.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates; Atchison, Topeka and Santa Fe Railway Company, I. C. C. No. 14708, supp. 20, and other schedules listed in exhibit 1 of the application.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved

in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1081; Filed, Feb. 4, 1955; 8:47 a. m.]

[4th Sec. Application 30207]

GROUND LIMESTONE FROM MARBLEHEAD AND QUINCY, ILL., TO SOUTHERN POINTS

#### APPLICATION FOR RELIEF

FEBRUARY 1, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. G. Raasch, Agent, for carriers parties to schedule listed below.

Commodities involved: Limestone, ground, when other minerals not in excess of 3 percent have been added to actual weight of natural limestone, carloads.

From: Marblehead and Quincy Ill.

To: Specified points in Florida, Kentucky, North Carolina, Tennessee, and Virginia.

Grounds for relief: Competition with rail carriers, additional related commodity, and circuity.

Schedules filed containing proposed rates: R. G. Raasch, Agent, I. C. C. No. 784, supp. 27.

Any interested person desiring the Commission to hold a hearing upon such -application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1082; Filed, Feb. 4, 1955; 8:47 a. m.]